

**UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF NEW JERSEY**

IVETTE VELEZ,	)	
	)	Case No.:
	)	
Plaintiff,	)	
	)	
v.	)	COMPLAINT AND DEMAND FOR
	)	JURY TRIAL
UNITED RECOVERY SYSTEMS,	)	
	)	
Defendant.	)	(Unlawful Debt Collections Practices)

## COMPLAINT

IVETTE VELEZ (“Plaintiff”), by and through her attorneys, Kimmel & Silverman, P.C., alleges the following against UNITED RECOVERY SYSTEMS (“Defendant”):

## INTRODUCTION

1. Plaintiff's Complaint is based on Defendant's repeated violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* ("FDCPA").

## JURISDICTION AND VENUE

2. This Court’s jurisdiction arises under 15 U.S.C. § 1692k(d), which states that such actions may be brought and heard before “any appropriate United States district court without regard to the amount in controversy,” and 28 U.S.C. § 1331, which grants this Court original jurisdiction of all civil actions arising under the laws of the United States. See Mims v. Arrow Fin. Services, LLC, 132 S. Ct. 740, 747, 181 L. Ed. 2d 881 (2012).





**COUNT IV**  
**DEFENDANT VIOLATED § 1692g OF THE FDCPA**

21. A debt collector violates § 1692g(a) if within five days after the initial communication with a consumer, the debt collector fails to send the consumer a written notice containing (1) the amount of the debt; (2) the name of the creditor to whom the debt is owed; (3) a statement that unless the consumer, within thirty days after receipt of the notice, disputes the validity of the debt, or any portion thereof, the debt will be assumed to be valid by the debt collector; (4) a statement that if the consumer notifies the debt collector in writing within the thirty-day period that the debt, or any portion thereof, is disputed, the debt collector will obtain verification of the debt or a copy of a judgment against the consumer and a copy of such verification or judgment will be mailed to the consumer by the debt collector; and (5) a statement that, upon the consumer's written request within the thirty-day period, the debt collector will provide the consumer with the name and address of the original creditor, if different from the current creditor.

22. Defendant violated § 1692g(a) by failing to send written notification, within five (5) days after its initial communication with Plaintiff, advising her of her rights to dispute the debt or request verification of the debt.

WHEREFORE, Plaintiff, IVETTE VELEZ respectfully prays for judgment as follows:

- a. All actual damages suffered pursuant to 15 U.S.C. § 1692k(a)(1);
- b. Statutory damages of \$1,000.00 for the violation of the FDCPA pursuant to 15 U.S.C. § 1692k(a)(2)(A);
- c. All reasonable attorneys' fees, witness fees, court costs and other litigation costs, pursuant to 15 U.S.C. § 1693k(a)(3);

1 d. Any other relief deemed appropriate by this Honorable Court.

2  
3 **DEMAND FOR JURY TRIAL**

4 PLEASE TAKE NOTICE that Plaintiff IVETTE VELEZ, demands a jury trial in this  
5 case.

6 **CERTIFICATION PURSUANT TO L.CIV.R.11.2**

7 I hereby certify pursuant to Local Civil Rule 11.2 that this matter in controversy is not  
8 subject to any other action pending in any court, arbitration or administrative proceeding.

9  
10 Respectfully submitted,

11  
12 Dated: May 29, 2015

13 /s/ Amy L. Bennecoff Ginsburg  
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